

Judicial Administration Committee
Judicial Conference of Indiana

Minutes
May 14, 2004

The Judicial Administration Committee of the Judicial Conference of Indiana met at the Indiana Judicial Center on Friday, May 14, 2004 from 10:00 a.m. – 12:00 noon

1. Members present. Michael H. Eldred, Steven M. Fleece, Gregory A. Horn, Tanya Walton Pratt, Michael A. Shurn, P. Thomas Snow, Mary G. Willis, and Judith S. Proffitt, Chair.

2. Staff present. Jeffrey Bercovitz provided the committee with staff assistance.

3. Guests present. Adrienne Henning, Division of State Court Administration was also present.

4. Minutes approved. The minutes for the committee on March 12, 2004 were approved.

5. Benchbook for judges to manage pro se litigation.

Committee members agreed by consensus to prepare a benchbook for judges to use for the management of pro se litigation. It will promote uniformity for courts; it will assist new judges in dealing with these issues and may assist clerks. The committee agreed to prepare the following:

a. In each section members of the committee agreed to include statutes, case law, ethical rulings, procedural checklists for judges, recommendations to judges on common problems, dialogues for judges to use, sample court orders, and letter(s) asking for more information if the filing by the pro se litigant is incomplete.

b. The benchbook will consist of the following sections, composed by the committee member(s) indicated:

Introduction/General considerations

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| (1) <u>General considerations about pro se litigation</u>
Sholes case and amended statute, ethical rulings and
DOC forms | J. Proffitt |
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Civil

- | | |
|---|-------------------------|
| (1) <u>Domestic Relations</u>
Initial dissolution, Post-dissolution matters
Letters and third-party correspondence and
distribution of that correspondence | J. Eldred and J. Willis |
| (2) <u>Small claims</u> | J. Love |
| (3) <u>Mortgage foreclosure/debt collection</u> | J. Horn and J. Snow |
| (4) <u>Mental Health</u>
Family member seeking commitment
Guardianships – pro se | J. Horn and J. Snow |
| (5) <u>Nonviolent obstructionist</u> | J. Chamblee/Committee |

- (6) Paternity, probate J. Shurn
- (7) General civil J. Welch/ Mag. Boyer
Name change
Minor's claims
BMV – lost title, hardship license
Adoption – recent past records inquiries,
genealogy

Criminal

- (1) Misdemeanor, D Felony pro se representation J. Fleece
Pro se jury trial, dialogues, other
- (2) Prisoner/Inmate litigation J. Murray, J. Pratt, LaPorte Co.
representative
Inmate as civil litigant – visitation, tort
Claims, name changes, paternity, dissolution
Criminal claims – PCR's, credit time,
modification, expungement
Civil rights claims
Extradition requests
- (3) Clerk chapter?

c. Committee members prepared an email survey of judges to solicit ideas for the Benchbook. Judge Proffitt and Jeff Bercovitz agreed to contact the Pro Se committee again to inform them of the committee's plans.

7. Next meeting. The committee agreed to hold their next meeting at the Judicial Center on July 9, 2004, August 13, 2004, October 8, 2004 all from 10:00 a.m. - 4:00 p.m. at the Indiana Judicial Center. They agreed to meet again on January 14, February 11 and March 11, 2005 from 10:00 a.m. – 4:00 p.m. at the Indiana Judicial Center.

Respectfully submitted,

Jeffrey Bercovitz, Director
Juvenile and Family Law